S T A T E O F N E W Y O R K

1085

2015-2016 Regular Sessions

I N S E N A T E

January 8, 2015

Introduced by Sens. MARCHIONE, FARLEY, LIBOUS, LITTLE, O'MARA, SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

AN ACT to amend the correction law, in relation to requiring legislative approval for the closure of correctional facilities and institutions

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The correction law is amended by adding a new section 30 to read as follows:

S 30. CLOSURE OF CORRECTIONAL FACILITIES. THE DEPARTMENT SHALL SUBMIT A WRITTEN REPORT TO THE LEGISLATURE AT LEAST THREE HUNDRED SIXTY-FIVE DAYS PRIOR TO THE DATE THE DEPARTMENT IS SEEKING CLOSURE OF ANY CORRECTIONAL FACILITY OR INSTITUTION. SUCH REPORT SHALL INCLUDE JUSTIFICATION FOR THE PROPOSED CLOSURE. THE LEGISLATURE MAY REQUIRE ANY ADDITIONAL INFORMATION OR DATA THAT IT DEEMS NECESSARY IN SUCH REPORT. IF THE LEGISLATURE, OR THE APPROPRIATE COMMITTEES THEREOF, UPON REVIEW OF THE REPORT SUBMITTED TO IT BY THE DEPARTMENT, FINDS THAT THE PROPOSED CLOSURE IS NOT JUSTIFIED THEN CLOSURE SHALL NOT OCCUR UNTIL APPROVED BY A MAJORITY VOTE OF EACH HOUSE OF THE LEGISLATURE.

S 2. Severability. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

S 3. This act shall take effect on the thirtieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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